

The House Committee on Education offers the following substitute to HB 1100:

A BILL TO BE ENTITLED

AN ACT

To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to eliminate criterion-referenced competency tests in grades one and two; to provide for temporary waiver of specific assessments or grades if insufficient funds are appropriated for the student assessment program; to provide for statutory construction; to revise provisions for purposes of conformity; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," is amended in Code Section 20-2-281, relating to the assessment of effectiveness of educational programs under the "Quality Basic Education Act," by revising subsection (a) and by adding a new subsection to read as follows:

"(a) The State Board of Education shall adopt a student assessment program consisting of instruments, procedures, and policies necessary to implement the program and shall fund all costs of providing and scoring such instruments, subject to appropriation by the General Assembly. Each local school system may elect to administer, with state funding, nationally norm-referenced instruments in reading, mathematics, science, or social studies in grade three, four, or five and in grade six, seven, or eight, subject to available appropriations, with assistance to such school systems by the State Board of Education with regard to administration guidance, scoring, and reporting of such assessments. The State Board of Education shall review, revise, and upgrade the quality core curriculum. Following the adoption of this revised curriculum, the State Board of Education shall contract for development of criterion-referenced competency tests to measure the quality core curriculum. Such tests in English and language arts, mathematics, and reading, shall be administered annually to students in grades one through eight, and such tests in science,

and social studies shall be administered annually to students in grades three through eight. This action shall be completed according to a schedule established by the State Board of Education. A ~~curriculum-based~~ curriculum based assessment shall be administered in grade 11 for graduation purposes. Writing assessments shall be administered to students in grades three, five, eight, and 11. The writing assessments shall provide students and their parents with performance outcome measures resulting from the administration of such tests."

"(q)(1) The State Board of Education shall be authorized to waive one or more assessments or specific grades of assessments required pursuant to this Code section in the event that the appropriations from the General Assembly for the student assessment program required pursuant to this Code section are insufficient to cover the costs of administering such program. Any such waiver shall be effective for a maximum of one school year. The General Assembly shall provide notice to the state board if the funding appropriated for the student assessment program is deemed to be insufficient.

(2) This subsection shall not be construed so as to authorize the impairment of any contracts or to relieve the state board or local school systems of any federal requirements."

## SECTION 2.

Said article is further amended in Code Section 20-2-153, relating to early intervention program for students at risk of not reaching or maintaining academic grade level, by revising subsection (b) as follows:

"(b) The early intervention program shall serve students who are at risk of not reaching or maintaining academic grade level, including but not limited to students who are identified through the first grade readiness assessment required by Code Sections 20-2-151 and 20-2-281 and students with identified academic performance below grade levels defined by the Office of Student Achievement in Code Section 20-14-31 for any criterion-referenced assessment administered in accordance with Code Section 20-2-281 for grades ~~one~~ three through five. Local school systems shall devise a process for the identification of such students at the beginning of each school year and also during the school year as a continuous process of early identification and monitoring. School systems may use indicators such as but not limited to the student's scores on previous assessments, the student's classroom performance in the same or previous years, and other reliable indicators to identify such students. A student shall be assigned to the early intervention program as soon as is practicable after the student is identified as at risk or after the results of the first-grade readiness assessment, the criterion-referenced assessment, or other indicators are known. The school shall provide timely notice and an opportunity for a

63 conference with the student and his or her parents or guardians to discuss the student's  
64 academic performance and the role of the early intervention program."

65 **SECTION 3.**

66 Said article is further amended in Code Section 20-2-284, relating to criteria for local boards  
67 of education and model placement and promotion policy, by revising subsection (b) as  
68 follows:

69 "(b) Except for those criterion-referenced assessments specified in Code Section 20-2-283,  
70 the placement and promotion policy as developed and adopted by each local board of  
71 education shall state how the criterion-referenced competency tests administered under  
72 Code Section 20-2-281 for grades ~~one~~ three through eight will be weighted or otherwise  
73 utilized by the school principal or the principal's designee in determining the overall  
74 academic achievement of a student and an appropriate plan of accelerated, differentiated,  
75 or additional instruction, placement, promotion, or retention of a student."

76 **SECTION 4.**

77 This Act shall become effective upon its approval by the Governor or upon its becoming law  
78 without such approval.

79 **SECTION 5.**

80 All laws and parts of laws in conflict with this Act are repealed.